

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.  
530 Virginia Road, P.O. Box 9133  
Concord, MA 01742-9133

Telephone: (978) 341-0036

Facsimile: (978) 341-0136

## CENTRAL LOCATION

RECEIVED  
CENTRAL FAX CENTER

## FACSIMILE COVER SHEET

JUN 08 2004

OFFICIAL

Examiner: Khatol Shahnan-Shah Group: 1645

Date: June 8, 2004

Client Code: 3265

Facsimile No.: 703-872-9306

From: Doreen M. Hogle, Esq.

Subject: Paper: Amendment After Final Rejection Under 37 C.F.R. §1.116

Docket No.: 3265.1001-000

Applicant: Mitchell C. Sanders

Serial No.: 09/848,781

Filing Date: May 3, 2001

Number of pages including this cover sheet: 17Please confirm receipt of facsimile: Yes X No    

## Comments:

@PPD\temp\ODM\NM\ODM\HBS&amp;R\Manage\70594.1

Privileged and Confidential - All information transmitted hereby is intended only for the use of the addressee(s) named above. If the reader of this message is not the intended recipient or the employee or agent responsible for delivering the message to the intended recipient(s), please note that any distribution or copying of this communication is strictly prohibited. Anyone who received this communication in error is asked to notify us immediately by telephone and to destroy the original message or return it to us at the above address via first class mail.

DMH/CD/dcm  
June 8, 2004DOCKET NO. 3265 1001-000  
Expedited Procedure under 37 C.F.R. 1.116  
Examining Group 1645

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

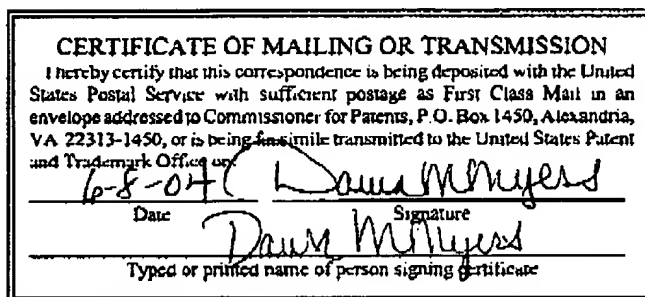
Applicant: Mitchell C. Sanders

Application No.: 09/848,781 Group: 1645

Filed: May 3, 2001 Examiner: Khatol Shahnan-Shah

Confirmation No.: 6639

For: A DEVICE FOR DETECTING BACTERIAL CONTAMINATION  
AND METHOD OF USE



Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an Amendment After Final for filing in the above-identified application. A Notice of Appeal with a three month extension of time was filed on June 7, 2004.

☒ Small entity status of this application under 37 C.F.R. 1.9 and 1.27 has been established by a Small Entity Statement previously submitted.

☐ A Small Entity Statement to establish small entity status under 37 C.F.R. 1.9 and 1.27 is enclosed.

The fee has been calculated as shown below:

(COL 1)	(COL 2)	(COL 3)	(COL 4)	(COL 5)
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA
TOTAL	34	MINUS	* 20	14
INDEP	7	MINUS	** 7	0
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				

\* not fewer than 20

\*\* not fewer than 3

SMALL ENTITY	
RATE	ADDIT. FEE
X \$9	\$ 126
X \$43	\$
+ \$145	\$

TOTAL = \$ 126

OTHER THAN SMALL ENTITY	
RATE	ADDIT. FEE
X \$18	\$
X \$86	\$
+ \$290	\$

TOTAL = \$ 0

09/848,781

-2-

Please charge Deposit Account No. 08-0380 for the following fees:

<input type="checkbox"/>	Petition for [ ] month Extension of Time	\$	
<input checked="" type="checkbox"/>	Amendment Fee	\$	126
<input type="checkbox"/>	Other Fees:		
		\$	
		\$	
	TOTAL:	\$	126

A check is enclosed in payment of the following fees:

<input type="checkbox"/>	Petition for two month Extension of Time	\$	
<input type="checkbox"/>	Amendment Fee	\$	
<input type="checkbox"/>	Other Fees:		
		\$	
		\$	
	TOTAL:	\$	0

☒ A general authorization is hereby granted to charge Deposit Account No. 08-0380 for any fees required under 37 C.F.R. 1.16 and 1.17 in order to maintain pendency of this application.

Respectfully submitted,

HAMILTON, BROOK, SMITH &amp; REYNOLDS, P.C.

By Doreen M. Hogle  
Doreen M. Hogle  
Registration No.: 36,361  
Telephone (978) 341-0036  
Facsimile (978) 341-0136

Concord, Massachusetts 01742-9133

Dated: June 8, 2004

@PFDesktop\ODMA\MHODMA\HBSR05\iManage;478512;1  
DMH/DES/CD/dcm  
June 8, 2004

PATENT APPLICATION  
Attorney's Docket No.: 3265.1001-000  
Expedited Procedure under 37 C.F.R. § 1.116  
Examining Group 1645

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED  
CENTRAL FAX CENTER

JUN 08 2004

Applicant: Mitchell C. Sanders  
Application No.: 09/848,781 Group: 1645  
Filed: May 3, 2001 Examiner: Khatol Shahnan-Shah  
Confirmation No.: 6639  
For: A DEVICE FOR DETECTING BACTERIAL CONTAMINATION  
AND METHOD OF USE

**OFFICIAL**

CERTIFICATE OF MAILING OR TRANSMISSION	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or is being facsimile transmitted to the United States Patent and Trademark Office on.	
Date 6-8-04	Signature Dawn M Myers
Typed or printed name of person signing certificate Dawn M Myers	

AMENDMENT AFTER FINAL REJECTION UNDER 37 C.F.R. § 1.116

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This Amendment After Final Rejection is being filed in response to the Final Office Action mailed from the U.S. Patent and Trademark Office on December 8, 2003 in the above-identified application.

An extension of time and a Notice of Appeal from the Final Office Action dated December 8, 2003, with appropriate fees, was filed on June 7, 2004.

Please amend the application as follows: